

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

METRO CONTAINER GROUP,

Plaintiff

v.

AC&T CO., INC. et al.,

Defendants

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CIVIL ACTION

No. 18-3623

ORDER

AND NOW, this 6th day of December, 2021, upon consideration of the pending motions to dismiss (Doc. Nos. 2193, 2091, and 2100), NRG Heat & Power's letter joining a motion to dismiss (Doc. No. 2105), and Houff Transfer's motion for judgment on the pleadings (Doc. No. 2157), it is hereby **ORDERED** that:

1. The motions filed by AMF Automation Technologies (Doc. No. 2100), NRG Heat & Power (Doc. No. 2105), and Houff Transfer (Doc. No. 2157) are **GRANTED** and the claims against AMF Automation Technologies, NRG Heat & Power, and Houff Transfer are **DISMISSED WITH PREJUDICE**;
2. The motions filed by Hoffman-La Roche (Doc. No. 2193) and Zenith Home Corp. (Doc. No. 2091) are **DENIED WITHOUT PREJUDICE** subject to the following limited discovery;
3. To the extent that Plaintiff seeks limited discovery on the issues of Hoffman-La Roche's contractual relationships with its transporters (including what Hoffman-La Roche knew at the time of disposal for purposes of establishing specific personal jurisdiction) and successor liability for Zenith Home Corp., as set forth in the accompanying Memorandum, Plaintiff shall file a proposed plan within twenty-one (21) days of entry of this Order, specifically identifying (1) what discovery Plaintiff requires and (2) using what proposed

discovery tools. Hoffman-La Roche and Zenith Home Corp. shall respond to the proposal within fourteen (14) days of receipt of the proposal.

BY THE COURT:



GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE